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Message Text

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ACTION ARA-10

INFO OCT-01 USSS-00 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-02 OFA-01 COME-00 DLOS-04

DODE-00 DOTE-00 EB-07 EPA-04 ERDA-07 FMC-02 H-02

INR-07 INT-05 IO-10 JUSE-00 L-03 NSAE-00 NSC-05

NSF-02 OES-05 OMB-01 PA-02 PM-03 PRS-01 SP-02 SS-15

USIA-15 FEA-01 (ISO) W
---------- 094416
R 181845Z JUN 75
FM AMEMBASSY PORT OF SPAIN
TO SECSTATE WASHDC 7939

UNCLAS SECTION 1 OF 2 PORT OF SPAIN 1498

E.O. 11652: N/A
TAGS: PFOR, PLOS, XL, TD
SUBJ: TRINIDAD'S PROPOSAL FOR SPECIAL CARIBBEAN LOS
REGIME

REF: POS 1467

THE TEXT OF THE SECTION OF PRIME MINISTER WILLIAMS' JUNE
15 SPEECH (REFTEL) WHICH CONCERNS A SPECIAL LAW OF THE
SEA REGIME FOR THE CARIBBEAN FOLLOWS:

BEGIN TEXT

THIS IS THE SITUATION IN WHICH WE MUST NOW TURN TO THE
INTERNATIONAL NEGOTIATIONS ON THE LAW OF THE SEA AND THEIR
SIGNIFICANCE FOR US IN THE CARIBBEAN.

PRESENT INDICATIONS ARE THAT THE MAJORITY OF STATES WILL SUP-
PORT A PACKAGE OF A 12 MILE TERRITORIAL SEA AND A 200 MILE EX-
CLUSIVE ECONOMIC ZONE. THE FOLLOWING CONCLUSIONS EMERGE FOR
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THE CARIBBEAN SEA:

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(1) THE GREATEST BENEFICIARIES OF THE 200 MILE EXCLUSIVE ECONOMIC ZONE WILL BE VENEZUELA AND COLOMBIA. VENEZUELA WITH NEARLY 1,100 MILES OF CARIBBEAN COASTLINE EXCLUDING THE OFFSHORE ISLANDS) WILL EXERCISE JURISDICTION OVER ONE-FIFTH OF THE CARIBBEAN SEA'S 750,000 SQUARE MILES; COLOMBIA WITH NEARLY 600 MILES OF CARIBBEAN COASTLINE, WILL EXERCISE JURISDICTION OVER ONE-TENTH OF THE CARIBBEAN SEA.

(2) THE CARIBBEAN ISLANDS, WITH SMALLER COASTLINE AND ZONE-LOCKED WITH ONE ANOTHER OR WITH OTHER STATES, WILL BE AT AN ENORMOUS DISADVANTAGE, ESPECIALLY;

CUBA--846 MILES OF CARIBBEAN COASTLINE, ZONE-LOCKED WITH JAMAICA, HAITI, MEXICO'S YUCATAN PENINSULA, CAYMAN ISLANDS. FLORIDA, BAHAMAS.

BARBADOS--20 MILES OF CARIBBEAN COASTLINE (OUT OF A TOTAL OF 55 MILES), ZONE-LOCKED ON THE CARIBBEAN SIDE

WITH ST. LUCIA, ST. VINCENT, GRENADINES, GRENADA, TOBAGO.

TRINIDAD AND TOBAGO--85 MILES OF CARIBBEAN COASTLINE (OUT OF A TOTAL OF 258 MILES), SHELF-LOCKED WITH VENEZUELA ON THE GULF OF PARIA AND ZONE-LOCKED INTO GRENADA ON THE CARIBBEAN SEA.

JAMAICA HAS 280 MILES OF CARIBBEAN COASTLINE, HAITI 275, DOMINICAN REPUBLIC 160.

(3) THE 200-MILE EXCLUSIVE ECONOMIC ZONE WILL INTERNATIONALLY BE OF GREAT BENEFIT TO SOME STATES AND VERY DISADVANTAGEOUS TO OTHERS. ACCORDING TO ONE ASSESSMENT, THE 200-MILE EXCLUSIVE ECONOMIC ZONE WILL BENEFIT SUCH COUNTRIES AS AUSTRALIA, USA, NEW ZEALAND, CANADA, JAPAN; ONE-THIRD OF THE TOTAL AREA UNDER NATIONAL JURISDICTION WILL BE ALLOCATED TO SOME 30 COASTAL DEVELOPED STATES, TO THE DETRIMENT OF THE DEVELOPING COUNTRIES, IN PARTICULAR. ONE ATTEMPT MADE TO
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DETERMINE THE EXTENT TO WHICH THE THEORETICAL EXPECTATIONS FROM THE 200-MILE EXCLUSIVE ECONOMIC ZONE ARE ATTAINED IN PRACTICE SUGGEST THE FOLLWING PERCENTAGES FOR SOME DEVELOPING COUNTRIES:
ARGENTINA, 36; BRAZIL, 74; CHINA, 21; CYPRUS, 18;
ETHIOPIA, 4; GHANA, 20; INDIA, 74; IRAN, 7; KENYA, 8;
LIBERIA, 26; MALYSIA, 40; MALTA, 15; PAKISTAN, 20;
SENEGAL, 20; SRI LANKA, 67; TANZANIA, 13; URUGUAY, 12.

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THE SITUATION OF SOME OF THE DEVELOPED COUNTRIES
IS NOT IMMESURABLY BETTER. THREE OF THE MOST
SERIOUSLY DISADVANTAGED ARE NETHERLANDS AND SWEDEN,
12 PERCENT OF THEIR THEORETICAL ELIGIBILITY, AND DENMARK 10
PERCENT. THE PERCENTAGE IS 24 FOR FRANCE; 48 FOR ITALY;
68 FOR THE U.S.S.R.

THIS PROBLEM FOR THE GEOGRAPHICALLY DISADVANTAGED
STATES IS TO BE COMPARED WITH MORE FAVOUABLE PERCEN-
TAGES IN SOME COUNTRIES: JAPAN, 314; NEW ZEALAND, 435;
U.S.A., 171; PORTUGAL, 214; MAURITIUS, 241; AUSTRALIA,
172; CANADA, 102, CHILE, 145; ECUADOR, 103.

CONSIDER NOW THE POSITION IN THE CARIBBEAN:
CUBA, 41; BARBADOS, 36; HAITI, 25; GUYANA, 13;
DOMINICAN REPUBLIC 37; JAMAICA, 52; TRINIDAD AND
TOBAGO, 15. THE NETHERLANDS ANTILLES LOCATED IN
WHAT VENEZUELA CLAIMS TO BE ITS INLAND WATERS, ARE IN
A PARTICULARLY ACUTE SITUATION ALREADY THERE ARE
REPORTS OF DISPUTES OVER THE DELIMITATION OF THE CON-
TINENTAL SHELF.

(4) VENEZUELA'S OFFSHORE ISLANDS IN ITS SO-CALLED INLAND
SEA, AND BIRD ISLAND IN THE NORTH POSE A VERY SPECIAL
PROBLEM. IT IS GENERALLY CLAIMED THAT AN ISLAND OR
ROCK HAS AS OF RIGHT ITS OWN TERRITORIAL SEA, ITS OWN
CONTINENTAL SHELF, AND ITS OWN EXCLUSIVE ECONOMIC
ZONE. A DISTINGUISHED UNITED STATES GEOGRAPHER HAS
WARNED THAT AN ISOLATED, UNINHABITED ROCK COULD HAVE
A 125,000 SQUARE MILE SEABED AREA UNDER A 200-MILE

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ACTION ARA-10

INFO OCT-01 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01 CEQ-01

CG-00 CIAE-00 CIEP-02 OFA-01 COME-00 DLOS-04 DODE-00

DOTE-00 EB-07 EPA-04 ERDA-07 FMC-02 H-02 INR-07

INT-05 IO-10 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02

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OES-05 OMB-01 PA-02 PM-03 PRS-01 SP-02 SS-15 USIA-15

FEA-01 USSS-00 AF-06 EA-10 EUR-12 NEA-10 (ISO) W
---------- 094494
R 181845Z JUN 75
FM AMEMBASSY PORT OF SPAIN
TO SECSTATE WASHDC 7940

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EXCLUSIVE ECONOMIC ZONE ARRANGEMENT. ON THIS BASIS, VENEZUELA'S EXCLUSIVE ECONOMIC ZONE, AS DETERMINED BY BIRD ISLAND, MUST AFFECT PUERTO RICO, GUADELOUPE, DOMINICA, MONTSERRAT, ST. KITTS-NEVIS.

(5) WITH THIS LAW OF THE SEA PROBLEM THE CARIBBEAN SEA GETS THE WORST OF ALL WORLDS. ARCHIPELAGO STATES, SUCH AS INDONESIA, FIJI, PHILIPPINES, HAVE PRESENTED THEIR CASE FOR SEPARATE TREATMENT TO THE LAW OF THE SEA CONFERENCE; SO HAS THE BAHAMAS. BUT THESE ARCHIPELAGOES ARE UNDER UNITARY CONTROL; THERE IS ONLY ONE GOVERNMENT FOR INDONESIA WITH ITS 3,000 ISLANDS. THE PERCENTAGE OF REALISATION OF THEIR THEORETICAL ELIGIBILITY FROM THE 200-MILE ECONOMIC ZONE HAS BEEN COMPUTED, IN THE STUDY REFERRED TO ABOVE, AS INDONESIA, 266; PHILIPPINES, 164; FIJI, 187. BY CONTRAST, ONE CAN'T COUNT THE GOVERNMENTS IN THE CARIBBEAN, AND THEY INCREASE DAILY. THERE IS NO SINGLE CONTROL IN THE CARIBBEAN. NOR CAN THE CARIBBEAN CLAIM THE STATUS OF AN INTERNAL SEA; IT IS A MAJOR ARTERY OF INTERNATIONAL
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COMMERCE AND NAVIGATION.

LIMITED COOPERATION ON THIS ISSUE HAS TAKEN PLACE IN THE CARIBBEAN COMMUNITY AREA, TO THE POINT WHERE TENTATIVELY SOME ACCOMMODATION HAS BEEN ARRIVED AT BETWEEN THE ORIGINALLY DIVERGENT VIEWS OF JAMAICA, TRINIDAD AND TOBAGO AND BARBADOS, AND THE THREE ARE NOW PREPARED TO AGREE TO THE 200-MILE EXCLUSIVE ECONOMIC ZONE ON CONDITION THAT IT IS ASSOCIATED WITH PREFERENTIAL OR EQUAL RIGHTS OF ACCESS TO THE LIVING RESOURCES OF THE EXCLUSIVE ECONOMIC ZONE. GUYANA, FOR ITS PART, ATLANTIC AND NOT CARIBBEAN ORIENTED, STRONGLY FAVOURS THE 200-MILE EXCLUSIVE ECONOMIC ZONES, BUT HAS EXPRESSED READINESS TO OFFER SPECIAL CONCESSIONS TO ITS THREE COLLEAGUES WHO WANT CONTINUING ACCESS TO THE GUYANA FISHING AND SHRIMPING GROUNDS. WE HAVE, HOWEVER, TO BEAR IN MIND THAT ANY DECISION ON THE DISPUTED BOUNDARY AREA IN FAVOUR OF VENEZUELA WILL AFFECT ADVERSELY GUYANA'S SHARE OF COASTLINE; GUYANA WILL BE DISPOSSED OF 60 PERCENT OF ITS COASTLINE AND ITS OCEAN SPACE JURISDICTION, BASED ON THE 200-

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MILE EXCLUSIVE ECONOMIC ZONE WILL BE REDUCED APPROXIMATELY FROM 52,000 TO 22,000 SQUARE MILES.

THIS COOPERATION THAT HAS DEVELOPED HAS BEEN LIMITED TO CARIBBEAN COMMUNITY COUNTRIES AND DID NOT AT THAT TIME INCLUDE GRENADA, WHERE THE CONTINENTAL SHELF DEMARCATION INVOLVES TRINIDAD AND TOBAGO AND GRENADA AS WELL AS VENEZUELA. CUBA, HAITI, DOMINICAN REPUBLIC, WHICH WOULD APPEAR TO BE MORE DISADVANTAGED THAN TRINIDAD AND TOBAGO AND JAMAICA BY ADOPTION OF THE 200-MILE EXCLUSIVE ECONOMIC ZONE, SEEM TO HAVE BEEN GIVING UNQUALIFIED POLITICAL SUPPORT TO LATIN AMERICAN COUNTRIES WHICH ARE IN THE VANGUARD OF THIS DEMAND; AS I HAVE ALREADY INDICATED, THIS WILL BENEFIT PRINCIPALLY THE SOUTH AMERICAN COUNTRIES ON THE PACIFIC AND VENEZUELAN AND COLOMBIA IN THE CARIBBEAN. GUATEMALA HAS ONLY 46 MILES OF CARIBBEAN COASTLINE, BUT BELIZE, WHICH GUATEMALA, CLAIMS, HAS 191, AND JAMAICA HAS A DISTINCT INTEREST IN ACCESS TO THE FISHING GROUNDS OF HONDURAS, NICARAGUA, GUATEMALA AND MEXICO.

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THE ROAD AHEAD, TO ME AT LEAST, IS QUITE CLEAR. I SHALL HERE BE VERY SPECIFIC.
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1. THE CASE FOR CARIBBEAN SOLIDARITY, IN THE FACE OF THE OVERWHELMING DISASTER FACING US IN RESPECT OF THE PENDING NEW INTERNATIONAL AGREEMENTS ON THE LAW OF THE SEA, IS THERE EVEN FOR THE MOST INDIVIDUALISTIC OR ANTI-INTEGRATION ELEMENTS IN THE COMMONWEALTH CARIBBEAN.

AS CHAIRMAN OF ECLA UNTIL THE NEXT SESSION IN 1977, I HAVE WRITTEN TO THE EXECUTIVE SECRETARY OF ECLA URGING THAT THE CARIBBEAN COMMITTEE OF ECLA, AGREED TO AT THE RECENT CONFERENCE IN CHAGUARAMAS, BE CONVENED AS QUICKLY AS POSSIBLE AND THAT ITS AGENDA MUST GIVE THE HIGHEST PRIORITY TO THE QUESTION OF A COMMON CARIBBEAN POSITION ON THE LAW OF THE SEA AIMED SPECIFICALLY AT SECURING INTERNATIONAL RECOGNITION FOR A SPECIAL REGIME FOR THE CARIBBEAN MULTI-GOVERNMENTAL ARCHIPELAGO. THIS REGIME SHOULD, IN MODIFICATION FOR THE CARIBBEAN ONLY OF THE 200-MILE EXCLUSIVE ECONOMIC ZONE, GIVE ALL CARIBBEAN STATES AND GOVERNMENTS EQUAL RIGHTS AND ACCESS TO THE ENTIRE CARIBBEAN SEA WITH THE RESERVATIONS REGARDING (A) THE RIGHTS OF AN INDIVIDUAL STATE TO ITS TERRITORIAL WATERS AND CONTINENTAL SHELF, (B) THE RIGHTS OF INTERNATIONAL NAVIGATION.

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I INTEND, IN RESPECT OF MY FORTHCOMING TOUR
(A) TO MAKE THIS MATTER ONE OF MY PRINCIPAL SUBJECTS FOR DISCUSSION WITH PRIME MINISTER CASTRO WITH A VIEW TO ORGANISING AN APPROACH WITH OTHER CARIBBEAN LEADERS TO THE NONALIGNED MOVEMENT;

(B) TO APPROACH THE SUPERPOWERS, USA AND USSR, WHO FAVOUR THE 200-MILE EXCLUSIVE ECONOMIC ZONE FOR REASONS OTHER THAN ECONOMIC--THEIR PLANES AND SUB-MARINES WOULD NOT HAVE THE FREEDOM OF NAVIGATION AND OVERFLIGHT IN A 200-MILE TERRITORIAL SEA--, TO CONSIDER THE CARIBBEAN AS A SPECIAL CASE, AND I HAVE ALREADY REQUESTED A MEETING WITH SECRETARY OF STATE KISSINGER WHILST I AM IN THE U.S. SUBJECT TO OTHER PREVIOUS COM-MITMENTS THAT HE MAY HAVE MADE;

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C) TO INCLUDE, AS PROVIDED FOR BY THE ECLA DECISION, THE ACTIVE PARTICIPATION OF ECLA'S NON-REGIONAL MEMBER STATES IN THIS MEETING OF THE CARIBBEAN COMMITTEE, AS ANY ATTEMPT TO ACHIEVE AN AGREED POSITION MUST INCLUDE PUERTO RICO OR GUADELOUPE OR ANGILLA OR THE NETHERLANDS ANTILLES; I HAVE ALREADY ARRANGED FOR APPROPRIATE DISCUSSIONS WITH THE PRIME MINISTER OF THE NETHERLANDS.

IT WILL BE NECESSARY TO ARRANGE FOR SUBSEQUENT DIS-CUSSIONS ON THIS MATTER WITH OTHER PARTIES INVOLVED IN CENTRAL AND SOUTH AMERICA (THE TERMS OF REFERENCE OF THE CARIBBEAN COMMITTEE OF ECLA MAKE PROVISION FOR SUCH COOPERATION AND CONSULTATION).

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